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USWEST

G. Michael Crumling
Executive Director-
Federal Regulatory

May 22, 1998

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, NW, Room 222. SC-1170
Washington, DC 20554

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MAY 22 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RE: CC Docket No. 97-172

Dear Ms. Salas:

On May 21, 1998, Richard A. Karre, Samir Jain, and the undersigned met, on behalf of U S WEST Communications, with Melissa Newman, Michelle Carey, and Audrey Wright of the Common Carrier Bureau and discussed the following in connection with U S WEST's Petition for a Declaratory Ruling in the above-referenced proceeding:

U S WEST does not concede that National Directory Assistance ("NDA") is anything other than normal directory assistance, completely permissible under existing law, notwithstanding the fact that U S WEST uses centralized NDA centers to provision this service.

If an interLATA service, NDA is an incidental interLATA service under section 271(g)(4). The fact that NDA uses human operators to assist customers in retrieving telephone listings does not affect that conclusion. This is clear from the language of the statute, which covers any "service that permits a customer . . . to retrieve stored information from" a BOC's facilities. (Emphasis added.) Nothing in the statute suggests that the "retrieval" of information by customers may not involve the intervention of operators. Indeed, the Commission recently reached that very conclusion when it ruled that BellSouth's operator-assisted reverse directory assistance service "provides users with the capability to acquire and retrieve information" and therefore is an incidental interLATA service. See Memorandum Opinion and Order, Bell Operating Companies Petitions for Forbearance from the Application of Section 272 of the Communications Act of 1934, As Amended, to Certain Activities, CC Docket No. 96-149, DA 98-220, ¶ 60 (rel. Feb. 6, 1998) ("272 Forbearance Order").

Neither the dialing parity requirement of section 251(b), the nondiscrimination requirements of section 272, nor the Commission's decisions require U S WEST to provide the incumbent oligopoly providers of directory assistance access to the 411 numbering sequence. The interexchange carriers already have dialing parity because

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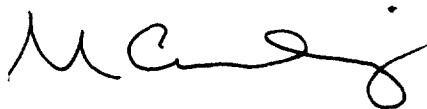
they can provide directory assistance through the simple and well-known "00" and "1-NPA-555-1212" dialing sequences. Even if the statute did require U S WEST to provide 411, the Commission can and should forbear from enforcing that requirement, just as it did in its 272 Forbearance Order. Specifically, the Commission forbore from applying section 272 to BellSouth's operator-assisted reverse directory assistance service, even though that service plainly uses the 411 dialing sequence to provide address information. See 272 Forbearance Order ¶¶ 53, 98. The case for forbearance with respect to NDA is further strengthened by the facts that U S WEST currently offers NDA to other service providers for resale and offers the 411 dialing sequence to any competitive local exchange carrier that purchases switching from U S WEST.

NDA service is provided as follows within U S WEST's network: When a U S WEST customer dials 411, the call is routed to a voice recognition unit ("VRU"), which may be in the same or a different LATA. The VRU routes the call onward based on whether the requested listing is local or nonlocal. A request for a nonlocal listing (beyond the customer's LATA) is handled by an operator at one of five NDA centers in U S WEST's region. A customer's call may be routed to any of the NDA centers depending on system availability, and a customer never knows which center is handling the call. The NDA operator then accesses a database located in Portland, Oregon, which contains telephone listings for U S WEST's region. For out-of-region listings, the Portland database queries the Nortel database in Chicago. U S WEST does not provide, or select the carrier that provides, the transmission between Portland and Chicago.

In accordance with Section 1.1206(b)(2) of the Commission's Rules, an original and one copy of this letter are being filed with your office for inclusion in the public record for the above-mentioned proceeding. In addition, a copy of this letter will be served on Janice Myles, International Transcription Services, and all parties to this proceeding.

Acknowledgment of date of receipt of this transmittal is requested. A duplicate of this letter is provided for that purpose.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melissa Newman', with a stylized flourish at the end.

cc: Melissa Newman
Michelle Carey
Audrey Wright

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